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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-570*

13 **REBECCA JANE CHAPMAN, AKA**
14 **REBECCA J. CHAPMAN**

ACCUSATION

2311 Freedom Bay Drive
Soddy-Daisy, Tennessee 37379

15 **Registered Nurse License No. 593245**

16 Respondent.

17
18 Louise R. Bailey, M.Ed., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Executive
21 Officer of the Board of Registered Nursing ("Board"), Department of Consumer Affairs.

22 **Registered Nurse License**

23 2. On or about January 11, 2002, the Board issued Registered Nurse License
24 Number 593245 to Rebecca Jane Chapman, also known as Rebecca J. Chapman ("Respondent").
25 The registered nurse license expired on July 31, 2003, and has not been renewed.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

3 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),
4 on the grounds of unprofessional conduct, in that effective May 11, 2012, pursuant to an
5 *Amended Consent Order* (attached hereto as **Exhibit A** and incorporated herein by reference), in
6 a disciplinary proceeding entitled *In the Matter of Rebecca J. Chapman, License No. RN140551,*
7 *Respondent*, Docket No. 2008-0608, the Georgia State Board of Nursing placed Respondent's
8 registered nurse license in the State of Georgia on probation for a period of four years. The basis
9 of said discipline is that on or about March 26, 2008, Respondent entered into a Consent Order
10 with the Georgia Board of Nursing as a result of her abuse of illegal controlled substances and
11 was subsequently convicted of driving under the influence of drugs or alcohol in or around
12 January 2010.

13 **PRAYER**

14 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
15 and that following the hearing, the Board of Registered Nursing issue a decision:

- 16 1. Revoking or suspending Registered Nurse License Number 593245, issued to
17 Rebecca Jane Chapman, also known as Rebecca J. Chapman;
18 2. Ordering Rebecca Jane Chapman, also known as Rebecca J. Chapman, to pay the
19 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this
20 case, pursuant to Code section 125.3; and,
21 3. Taking such other and further action as deemed necessary and proper.

22
23 DATED: JANUARY 18, 2013

24 *for* *Louise Bailey*
25 LOUISE R. BAILEY, M.ED., R.N.
26 Executive Officer
27 Board of Registered Nursing
28 State of California
Complainant

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EXHIBIT A

Amended Consent Order

In the Matter of Rebecca J. Chapman, License No. RN140551, Respondent
Georgia State Board of Nursing

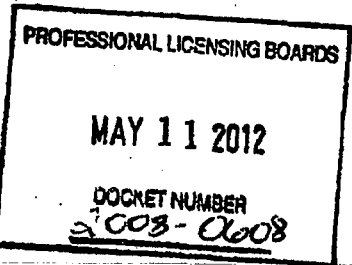
BEFORE THE GEORGIA BOARD OF NURSING

IN THE MATTER OF:

REBECCA J. CHAPMAN,
License No. RN140551,

Respondent.

DOCKET NO.



AMENDED CONSENT ORDER

By agreement of the Georgia Board of Nursing ("Board") and Rebecca J. Chapman ("Respondent"), the following disposition of this disciplinary matter replaces and supersedes a prior disposition entered March 26, 2008, and is entered pursuant to the provisions of the Georgia Administrative Procedure Act, O.C.G.A § 50-13-13(a)(4), as amended.

FINDINGS OF FACT

1.

Respondent is licensed to practice nursing as a registered professional nurse in the States of Georgia, and was so licensed at all times relevant the matters stated herein.

2.

On or about March 26, 2008, the Respondent entered into a Consent Order with the Board as a result of abuse of illegal controlled substances.

3.

In or about January of 2010, Respondent was convicted for DUI.

4.

Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

Respondent's conduct constitutes sufficient grounds for the imposition of further sanctions upon Respondent's license to practice nursing as a registered professional nurse in the State of Georgia, under O.C.G.A. Chapter 26, Title 43.

ORDER

The Georgia Board of Nursing, having considered all the facts and circumstances surrounding this case, hereby orders, and Respondent hereby agrees that Respondent's license shall be placed on probation for a period of four (4) years commencing on the effective date of this Amended Consent Order, or until such probation is lifted by the Board, subject to the following terms and conditions:

(a) Participation in Treatment/Aftercare Program. Throughout the probationary period, Respondent shall participate in a structured aftercare program for chemical dependence approved by the Board. Respondent's participation in such program shall be viewed as a condition precedent to all other provisions set forth herein, and Respondent's failure to comply with that requirement, upon substantiation thereof, shall subject Respondent's license to revocation. **Respondent shall not change aftercare provider without submitting to the Board a letter of permission from the current aftercare counselor, and receiving from the Board a letter approving a change of aftercare provider.**

(b) Abstain from Alcohol and Controlled Substances. Respondent shall completely abstain from the consumption of alcohol, and also shall abstain from the consumption of controlled substances except as prescribed by a duly licensed practitioner for a legitimate purpose. Should Respondent be prescribed any controlled substances, a written report from the

prescribing physician shall be submitted to the Board and to Respondent's aftercare program counselor within **ten (10) days** of the prescribing thereof.

(c) Alcohol/Drug Screens. Throughout the period of probation, Respondent agrees to undergo random, medical quality alcohol/drug screens at least once per month at Respondent's own expense, and also at the request of the Board or its representative, Respondent's employer, Respondent's monitoring physicians, or Respondent's program counselor. Receipt of a positive alcohol/drug screen by the Board is deemed to be a violation of this Amended Consent Order. Respondent acknowledges and agrees that all of Respondent's alcohol/drug screen reports received by the Board during the probationary period shall be admissible in any administrative hearing concerning Respondent, without the necessity of establishing chain of custody or receiving other supporting testimony.

(d) Quarterly Reports from Aftercare Counselor. Respondent shall provide a copy of this Order to Respondent's program counselor and shall cause Respondent's program counselor to submit quarterly reports to the Board by March 31, June 30, September 30, and December 31, commencing on the first reporting date following the effective date of this Order and continuing throughout the probationary period. The reports shall evaluate Respondent's progress in rehabilitation and each quarterly report shall contain the results of at least one alcohol/drug screen per month as well as any requested by the program during the quarter. The quarterly reports shall include a disclosure of any medication being administered to Respondent or prescribed as treatment for any illness of Respondent. The receipt of a positive alcohol/drug screen, or a report from Respondent's program counselor that Respondent has failed to comply with the requirements of the program or that Respondent is otherwise unable to function as a

registered professional nurse, shall be grounds for vacating Respondent's license probation and imposition of one year of actual suspension, in the discretion of the Board.

(e) Restrictions Concerning Agency/Private Duty Employment. Respondent shall not be employed in any of the following settings **without prior written approval** of the Board:
(1) assignments through a nursing agency or pool, (2) private duty nursing, (3) in-home nursing, or (4) travel assignments.

(f) Quarterly Reports from Employers. If Respondent is employed in a clinical setting or in a setting involving access to drugs, Respondent shall provide a copy of this Order to each of such employers or supervisors within **ten (10) days** of the Respondent's receipt of a docketed copy of the document. Respondent shall cause such employers or supervisors to submit quarterly reports to the Board by March 31, June 30, September 30 and December 31, commencing on the first reporting date following the effective date of this Order and continuing throughout the probationary period. Each report shall evaluate Respondent's performance of Respondent's duties. The receipt of an unfavorable report shall be deemed a violation of this Order and, upon substantiation thereof, shall be grounds for further sanction or revocation of Respondent's license.

(g) Copy of Amended Consent Order to Director of Nursing Education Course. If Respondent should be enrolled in any clinical nursing course, the Respondent shall also provide a copy of this Amended Consent Order to the dean or director of such program.

(h) Personal Quarterly Reports. Respondent shall submit personal quarterly reports to the Board by March 31, June 30, September 30 and December 31 commencing on the first reporting date following the effective date of this Order and continuing throughout the

probationary period. Failure to submit such reports, upon substantiation thereof, shall be grounds for further sanction or revocation of Respondent's license.

(i) Reporting Requirements. Respondent shall provide a copy of this Amended Consent Order to all reporting individuals. It shall be the responsibility of Respondent to ensure that all required reports are submitted to the Georgia Board of Nursing, 237 Coliseum Drive, Macon Georgia 31217-3858 in care of the Legal/Disciplinary Nurse Consultant. Respondent shall report to the Board any change in Respondent's place of employment, residence, and current status as a practicing registered professional nurse.

(j) Payment of Fine. Within **ninety (90)** days of the effective date of this Consent Order, the Respondent shall submit to the Board a fine in the amount of \$500.00 (five hundred dollars). Such fine shall be payable by cashier's check or money order made out to the Georgia Board of Nursing, and shall be sent to the Board in care of the Legal/Disciplinary Nurse Consultant at the following address: 237 Coliseum Drive, Macon, Georgia 31217. Failure to pay the fine within the stated time period shall be deemed a violation of this Consent Order and shall subject the Respondent's license to further disciplinary action.

(k) Review of Consent Order. After acceptance by the Board and docketing, a copy of the docketed Consent Order shall be mailed to Respondent. The Board will forward a Consent Order Interview Form to Respondent. Within **ten (10)** days of Respondent's receipt of such form, Respondent shall submit the completed form to the Board. **Failure to comply with this requirement shall be deemed a violation of this Consent Order.**

(l) Consent to Release of Information. By executing this Amended Consent Order, Respondent specifically consents to any individuals or entities reporting to the Board information which would affect Respondent's ability to practice as a registered professional nurse with

reasonable skill and safety to patients or which constitutes a violation of the Nurse Practice Act or this Amended Consent Order, notwithstanding any privilege provided by state or federal law, and agrees to provide to the Board any release or other documentation which may be necessary for the Board to obtain such information.

(m) Review of Compliance with Amended Consent Order. The Board may review and evaluate the practice of the Respondent at the end of the probationary period. It is hereby understood that, if such evaluation should indicate non-compliance with the Amended Consent Order or further violation of O.C.G.A. Title 43, Chapters 1 or 26, **Respondent's licensure shall continue to be subject to the terms and conditions of this Amended Consent Order, and/or** be subject to further sanction by the Board, including revocation.

(n) Abide by Laws, Rules, and Terms of Amended Consent Order. If Respondent shall fail to abide by all State and federal laws relating to drugs and regulating the practice of registered professional nursing in the State of Georgia, the Rules and Regulations of the Georgia Board of Nursing, the terms of this Amended Consent Order and probation, or if it should appear from reports submitted to the Board that Respondent is unable to practice as a registered professional nurse with reasonable skill and safety to patients, Respondent's license may be further sanctioned or revoked, upon substantiation thereof.

2.

In addition to and in conjunction with any other sanction contained herein, this Amended Consent Order and dissemination thereof shall serve as a public reprimand to Respondent for Respondent's conduct.

3.

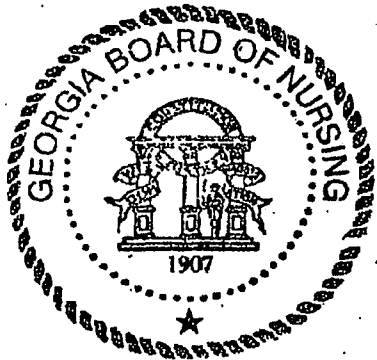
Approval of this Amended Consent Order by the Georgia Board of Nursing shall in no way be construed as condoning Respondent's prior conduct, and shall not be construed as a waiver of any of the lawful rights possessed by the Board.

4.

Respondent has read this Amended Consent Order and understands its contents. Respondent understands that Respondent has the right to a hearing in this matter, and freely, knowingly and voluntarily waives such right by entering into this Amended Consent Order. Respondent understands that this Amended Consent Order will not become effective until approved by the Georgia Board of Nursing and docketed by the Division Director, Professional Licensing Boards Division. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Amended Consent Order. Respondent understands that this Amended Consent Order, once approved and docketed, shall constitute a public record, evidencing disciplinary action by the Board. However, if the Amended Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the Board's ability to adjudicate this matter. Respondent hereby consents to the terms and sanctions contained herein.

Approved this 9th day of May, 2012.

GEORGIA BOARD OF NURSING



BY:

Barry Cranfil
BARRY CRANFILI, RN, CRNA
President **with express permission by**
James Alpha Executive Director

ATTEST:

Lisa W. Durden
LISA W. DURDEN
Division Director
Professional Licensing Boards Division

CONSENTED TO:

Rebecca J. Chapman
REBECCA J. CHAPMAN, RN
Respondent

Respondent swore to and subscribed
before me this 25 day
of April, 2012.

Kathy D. Wilson
NOTARY PUBLIC
My commission expires: 09-22-13

